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**UNITED STATES BANKRUPTCY COURT
DISTRICT NEVADA**

10	IN RE: SCHULTE PROPERTIES, LLC	CASE: 17-12883-mkn
11	DEBTOR	CHAPTER 11
12		
13		Hearing Date: August 30, 2017
14		Hearing Time: 9:30 am
		Estimated Time for Hearing: 15

**MOTION TO ASSUME UNEXPIRED LEASE BETWEEN SCHULTE PROPERTIES
LLC AND TENANTS FOR RESIDENTIAL PROPERTY AT 956 OSTRICH FERN CT,
LAS VEGAS NV 89123-4050 PURSUANT TO 11 U.S. CODE § 365**

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to LR 9014.1, the court will consider this motion, objection, or other matter without further notice of hearing unless a party in interest files an objection within twenty-one (21) days from the date of service of this paper. If you object to the relief requested in this paper, you may file your objection at the bankruptcy clerk's office located in Las Vegas at the United States Bankruptcy Court, 300 Las Vegas Blvd. South, Las Vegas, Nevada 89101, and serve a copy on the movant's attorney and any other appropriate persons.

The objecting party has a duty to timely set the objection for a hearing and properly notice all parties in interest. If you do not file an objection within the time permitted, then:

- The court may refuse to allow you to speak at the scheduled hearing; and
 - The court may rule against you without formally calling the matter at the hearing; and
 - An order granting the requested relief may be entered by the court without further notice or hearing.

1 **TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:**

2 Debtor, Schulte Properties LLC, moves this court for an order authorizing debtor to assume
3 the unexpired lease between Melani Schulte and tenants, CLINT FISHER. As grounds for the
4 assumption, Debtor states:

- 6 1. This case was commenced on May 31, 2017 by a voluntary petition for relief under
7 chapter 11 of title 11 of the United States Code.
- 8 2. Schulte Properties LLC is the debtor in possession.
- 9 3. Melani Schulte is the sole member of Schulte Properties LLC. Melani Schulte is the prior
10 owner and Schulte Properties LLC is the current owner of the property located at 956
11 OSTRICH FERN CT, LAS VEGAS NV 89123-4050 (“the Subject Property”). The
12 tenants, CLINT FISHER, signed a lease with Melani Schulte which should be assigned to
13 Schulte Properties LLC as the current property owner.
- 14 4. No prior motion for acceptance of this lease has been filed and no plan has been
15 confirmed.
- 16 5. The Subject Property is a single family residence with 1741 square feet of livable space,
17 4/2.5 bedrooms / bathrooms, 2 stories and no pool.
- 18 6. Pursuant to 11 U.S.C. section 365, debtor asks the Court to accept the lease between the
19 tenants, CLINT FISHER, and Melani Schulte as between Schulte Properties LLC and the
20 tenants. The terms of the lease are as follows:
 - 21 a. The lease expires on 4/30/18.
 - 22 b. The gross rent is \$1,455.00.
- 23 7. The assumption of the lease is in the best interest of the estate.

8. A copy of the unexpired lease is available upon request and has already been provided to the Office of the US Trustee.

Applicable Legal Standards

Section 365 governs the treatment of executory contracts and unexpired leases. Subject to bankruptcy court approval, a debtor-in-possession may assume or reject an executory contract or unexpired lease of the debtor. See 11 U.S.C. § 365(a).¹⁰ Moreover, the trustee may assume or reject an unexpired lease of residential real property at any time before the confirmation of the plan. See 11 U.S.C. § 365(d)(2).

In this case, a plan has not yet been confirmed and the court has jurisdiction to approve the assumption of the unexpired lease.

Conclusion

WHEREFORE, debtor prays for an order from the Court authorizing and approving the assumption of the unexpired lease between Schulte Properties LLC and CLINT FISHER as being in the best interest of the estate.

Dated: 26 July 2017

Thaus

AMBERLEA DAVIS
Proposed Counsel for Debtor
NV Bar #11551

¹⁰ While Section 365 refers to the rights and obligations of a bankruptcy trustee, a Chapter 11 debtor-in-possession has the same rights and obligations, with exceptions not applicable to this case, under Section 1107(a).

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DEBTOR

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CHAPTER 11

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Certificate of Service

On July 26, 2017, I served the above documents listed as

- Motion to Assume Unexpired Lease between Schulte Properties LLC and Tenants for Residential Property at 956 OSTRICH FERN CT, LAS VEGAS NV 89123-4050 Pursuant to 11 U.S.C § 365; and
 - Notice of Hearing on Motion and Opportunity to Object

were served by the following means to on the persons listed below:

- #### 1. Via ECF System:

Amberlea Davis on behalf of Debtor Schulte Properties LLC,
amber@sheismylawyer.com

2. By United States Mail, First Class Postage Prepaid:

- AJA CAMPBELL, LESSOR, 3729
DISCOVERY CREEK AVE,

NORTH LAS VEGAS NV 89031-
3603

- 1 • ALEXANDRA REIMANN,
2 LESSOR, 3383 CLOVERDALE CT,
3 LAS VEGAS NV 89117-3951
- 4 • BILLY OBEDOZA, LESSOR, 5218
5 MISTY MORNING DR, LAS
6 VEGAS NV 89118-0600
- 7 • BRENDА TORRES LOPEZ,
8 LESSOR, 9500 ASPEN GLOW DR,
9 LAS VEGAS NV 89134-0134
- 10 • CHRIS WIRTA, LESSOR, 2460
11 AVENIDA CORTES,
12 HENDERSON NV 89074-6349
- 13 • CHRISTOPHER MARTANO, 1392
14 ECHO FALLS AVE, LAS VEGAS
15 NV 89183-6377
- 16 • CLINT FISHER, LESSOR, 956
17 OSTRICH FERN CT, LAS VEGAS
18 NV 89183-4050
- 19 • DULCE B. SOLIZ, LESSOR, 6091
20 PUMPKIN PATCH AVE, LAS
21 VEGAS NV 89142-0791
- 22 • GREGORY L. WILDE, ESQ.,
23 TIFFANY AND BOSCO, 212 S
24 JONES BLVD, LAS VEGAS NV
25 89107-2657
- 26 • JAMES CRAIG, LESSOR, 9020
27 FEATHER RIVER CT, LAS
28 VEGAS NV 89117-2367
- 1 • JESSIE C. GAYTAN, LESSOR,
2 6091 PUMPKIN PATCH AVE, LAS
3 VEGAS NV 89142-0791
- 4 • JURIS ORE, LESSOR, 2290
5 SURREY MEADOWS AVE,
6 HENDERSON NV 89052-2335
- 7 • KAMI CONSELVA, LESSOR, 5218
8 MISTY MORNING DR, LAS
9 VEGAS NV 89118-0600
- 10 • KAREN TAYLOR, LESSOR, 3729
11 DISCOVERY CREEK AVE,
12 NORTH LAS VEGAS NV 89031-
13 3603
- 14 • LINDA REINA, LESSOR, 7873
15 BRIDGEFIELD LN, LAS VEGAS
16 NV 89147-5099
- 17 • LUIS LOPEZ, LESSOR, 2614
18 SWEET LEILANI AVE, NORTH
19 LAS VEGAS NV 89031-0693
- 20 • MARIA LOPEZ, LESSOR, 2614
21 SWEET LEILANI AVE, NORTH
22 LAS VEGAS NV 89031-0693
- 23 • MARY WIRTA, LESSOR, 2460
24 AVENIDA CORTES,
25 HENDERSON NV 89074-6349
- 26 • MELANI SCHULTE, 9811 W
27 CHARLESTON BLVD STE 2-351,
28 LAS VEGAS NV 89117-7528
- 1 • MICHAELA MARTANO, LESSOR,
2 1392 ECHO FALLS AVE, LAS
3 VEGAS NV 89183-6377
- 4 • MONICA MONTERO, LESSOR,
5 9500 ASPEN GLOW DR, LAS
6 VEGAS NV 89134-0134
- 7 • NETTIE JOHNSTON, LESSOR,
8 2290 SURREY MEADOWS AVE,
9 HENDERSON NV 89052-2335
- 10 • ROBERT LOPEZ, LESSOR, 1528
11 SPLINTER ROCK WAY, NORTH
12 LAS VEGAS NV 89031-1617
- 13 • ROSANNA LOPEZ, LESSOR, 1528
14 SPLINTER ROCK WAY, NORTH
15 LAS VEGAS NV 89031-1617
- 16 • SANDRA SCHAFER, LESSOR,
17 3383 CLOVERDALE CT, LAS
18 VEGAS NV 89117-3951
- 19 • SHAUNA BROGAN, LESSOR,
20 1624 DESERT CANYON CT, LAS
21 VEGAS NV 89128-7900
- 22 • BAC HOME LOAN SERVICING,
23 LP, PO BOX 942019, SIMI
24 VALLEY CA 93094-2019
- 25 • BAYVIEW LOAN SERVICING,
26 LLC, 4425 PONCE DE LEON
27 BLVD FL 5, CORAL GABLES FL
28 33146-1837
- 1 • CHASE HOME FINANCE, LLC,
2 3415 VISION DR, COLUMBUS OH
3 43219-6009

- 1 • CITIMORTGAGE, INC, PO BOX
2 10002, HAGERSTOWN MD 21747-
3 0002
- 4 • CITY NATIONAL BANK, PO BOX
5 60938, LOS ANGELES CA 90060-
6 0938
- 7 • CLARK COUNTY ASSESSOR, 500
8 S GRAND CENTRAL PKWY # 2,
9 LAS VEGAS NV 89155-4502
- 10 • COPPER RIDGE C/O COLONIAL
11 MGMT, PO BOX 63275, PHOENIX
12 AZ 85082-3275
- 13 • CREEKSIDE HOA C/O FIRST
14 RESIDENTIAL, PO BOX 54089,
15 LOS ANGELES CA 90054-0089
- 16 • DAVID PIERCE, 9811 W
17 CHARLESTON BLVD STE 2-279,
18 LAS VEGAS NV 89117-7528
- 19 • EFREN SOTELO, 1401 SMOKEY
20 GLEN CIR, LAS VEGAS NV
21 89110-1313
- 22 • ELDORADO FIRST C/O TERRA
23 WEST PROPERTY, PO BOX
24 80900, LAS VEGAS NV 89180-
25 0900
- 26 • ELISA CHADBOURNE, 5840
27 TUSCAN HILL CT, LAS VEGAS
28 NV 89141-3895
- 1 • FEDERAL HOME LOAN
2 MORTGAGE CORP, 8200 JONES
3 BRANCH DR, MCLEAN VA
4 22102-3107
- 5 • FEDERAL NATIONAL
6 MORGATE ASSOCIATION, 3900
7 WISCONSIN AVE NW,
8 WASHINGTON DC 20016-2806
- 9 • FEDERAL NATIONAL
10 MORTGAGE ASSOCIATION, PO
11 BOX 10002, HAGERSTOWN MD
12 21747-0002
- 13 • FIFTH THIRD BANK MTG LOAN
14 SCV, MD 1MOC FP, 5050
15 KINGSLEY DR, CINCINNATI OH
16 45227-1115
- 17 • FIRST AMERICAN TRUSTEE
18 SERVICING SOLUTIO, 1500
19 SOLANA BLVD STE 6100 BLDG
20 6, WESTLAKE TX 76262-1709
- 21 • GOVERNMENT NATIONAL
22 MORTGAGE ASSOCIATION, 451
23 7TH ST SW RM B-133,
24 WASHINGTON DC 20410-0001
- 25 • GREEN TREE SERVICING LLC -
26 DITECH FIN, PO BOX 6176,
27 RAPID CITY SD 57709-6176
- 28 • GREEN VALLEY RANCH, HOA
1 CO TERRA WEST, PO BOX 94617,
2 LAS VEGAS NV 89193-4617
- 3 • GREENTREE SERVICING LLC,
4 PO BOX 6176, RAPID CITY SD
5 57709-6176
- 6 • INTERNAL REVENUE SERVICE,
7 CENTRALIZED INSOLVENCY
8 OPERATION, PO BOX 7346,
9 PHILADELPHIA PA 19101-7346
- 10 • IRS, INSOLVENCY
11 DEPARTMENT, CINCINNATI OH
12 45999-0023
- 13 • JP MORGAN CHASE BANK, PO
14 BOX 183166, COLUMBUS OH
15 43218-3166
- 16 • LUCY INNUSO, 7413
17 LATTIMORE DR, LAS VEGAS
18 NV 89128-3214
- 19 • MTC FINANCIAL INC DBA
20 TRUSTEE CORP, 3571 RED ROCK
21 ST STE B, LAS VEGAS NV 89103-
22 1256
- 23 • NATIONAL DEFAULT
24 SERVICING CORP, 7720 N 16TH
25 ST STE 300, PHOENIX AZ 85020-
26 7404
- 27 • NETTIE JOHNSTON, 2290
28 SURREY MEADOWS AVE,
1 HENDERSON NV 89052-2335
- 2 • NORTHWEST TRUSTEE
3 SERVICES, INC, 2121 ALTON
4 PKWY STE 110, IRVINE CA
5 92606-4958

- 1 • OCWEN LOAN SERVICING LLC,
2 PO BOX 24736, WEST PALM
3 BEACH FL 33416-4736
- 4 • PEBBLE CREEK HOA, 8595 S
5 EASTERN AVE, LAS VEGAS NV
6 89123-2823
- 7 • SANDRA SCHAFER, 3383
8 CLOVERDALE CT, LAS VEGAS
9 NV 89117-3951
- 10 • SCHULTE PROPERTIES, LLC,
11 9811 W CHARLESTON BLVD STE
12 2-351, LAS VEGAS NV 89117-
13 7528
- 14 • SEASIDE TRUSTEE INC, PO BOX
15 752377, LAS VEGAS NV 89136-
16 2377
- 17 • SECRETARY OF STATE, 101 N
18 CARSON ST STE 3, CARSON
19 CITY NV 89701-3714
- 20 • SELENE FINANCE LP, PO BOX
21 421517, HOUSTON TX 77242-1517
- 22 • SETERUS, INC., PO BOX 1077,
23 HARTFORD CT 06143-1077
- 24 • SHELLPOINT MORTGAGE
25 SERVICING, PO BOX 740039,
26 CINCINNATI OH 45274-0039
- 27 • SILVERADO RNCH LMA C/O
28 FIRST SERVICE RES, PO BOX
 54089, LOS ANGELES CA 90054-
 0089
- 1 • SUMMERLIN NORTH
2 COMMUNITY ASSOC, 2120
3 SNOW TRL, LAS VEGAS NV
4 89134-6709
- 5 • TD SERVICE COMPANY, 4000 W
6 METROPOLITAN DR STE 400,
7 ORANGE CA 92868-3503
- 8 • U.S. TRUSTEE - LV - 11, 300 LAS
9 VEGAS BLVD S STE 4300, LAS
10 VEGAS NV 89101-5803
- 11 • UNITED STATES BANKRUPTCY
12 COURT, 300 LAS VEGAS BLVD
13 S, LAS VEGAS NV 89101-5833
- 14 • WELLS FARGO HOME
15 MORTGAGE, PO BOX 7198,
16 PASADENA CA 91109-7198
- 17 • WEST SAHARA COMMUNITY
18 HOA C/P FIRST SERV, PO BOX
19 54089, LOS ANGELES CA 90054-
20 0089
- 21 • SABLES, LLC, 3753 HOWARD
22 HUGHES PKWY STE 200, LAS
23 VEGAS NV 89169-0952
- 24 • CINDY LEE STOCK, SABLES
25 LLC, 608 S 8TH ST, LAS VEGAS
26 NV 89101-7005
- 27 • IMAGE FINANCE, LLC, 4751
28 WILSHIRE BLVD STE 203, LOS
 ANGELES CA 90010-3860

Dated: 26 July 2017

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